

City of Bellevue Development Services Department Land Use Staff Report

Proposal Name: Royal Crest Homes

Proposal Address: 15001 NE 8th St

Proposal Description: Critical Areas Land Use Permit and Land Use Code

Variance approval to allow 4,315 square feet of permanent disturbance to construct a single-family residence. The site contains a category II wetland and buffer and there is no buildable area outside of critical area and buffer. The site is subject to the Reasonable Use Exception (RUE) limiting total disturbance to a maximum of 3,000 square feet. The Variance request is to exceed this maximum by approximately 1,315 square feet. The proposal is supported by a critical areas study,

geotechnical report, and mitigation planting plan.

File Number: 18-123590-LO, 18-125139-LS

Applicant: Richard DeJong, Royal Crest Homes

Decisions Included: Critical Areas Land Use Permit

(Process II. LUC 20.30P)

Variance from the Land Use Code

(Process II. LUC 20.30G)

Planner: David Wong, Planner

State Environmental Policy Act

Threshold Determination: Exempt (WAC 197-11-800)

Director's Decision: Approval with Conditions

Elizabeth Stead

Elizabeth Stead, Land Use Director Development Services Department

Application Date: August 23, 2018; September 22, 2018

Notice of Application Publication Date: September 27, 2018; October 25,2018

Decision Publication Date: May 6, 2021
Project Appeal Deadline: May 20, 2021

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Attachments

- 1. Site Plan
- 2. Mitigation and Restoration Plan
- 3. Critical Areas Study (in file)
- 4. Geotechnical Engineering Study (in file)

I. Proposal Description

The applicant proposes 4,315 square feet of permanent disturbance to construct a 1,590 square feet single-family residence, 1,505 square-foot driveway, and to provide 5 feet of maintenance space around the proposed residence. The site is entirely encumbered by critical area and critical area buffer, and therefore qualifies for a reasonable use exception under LUC 20.25H.200.

Proposals to develop a single-family residence on parcels that do not contain the minimum amount of developable area as specified in LUC 20.25H.200.A.2.i, in this case 3,000 square feet, are required to receive approval of a Reasonable Use Exception (RUE) through a Critical Areas Land Use Permit (CALUP). The Variance request is to exceed this maximum by approximately 1,315 square feet. See Figure 1 for proposed conditions.

Figure 1 SILT FENCE PER BMP C233, TYP. ROOF COLLECTOR -N00'03'17"W 584.69' SIDE SEWER CONNECTION PER CITY OF BELLEVUE STANDARD PLAN S3-07 DECK GUTTER PROPOSED HOUSE FFE=264.0 50 LF FLOWPATH MH (192925) | 269.13 | PVC IE 257.83 POPUP DRAINAGE EMITTER PER CITY OF BELLEVUE NDP-20 (TYP.) NEW WATER METER
PER CITY OF BELLEWIE
REW W3-08
REW 3-08 FOOTING DRAINS TO BE CONVEYED TO A POPUP EMITTER TOP OF EMITTER TO BE SET NO HIGHER THAN 6" BELOW THE FINISH ELEVATION OF BUILDING CRAWLSPACE. UNDER NO CIRCUMSTANCES SHALL THE SITE DRAINAGE CONNECT TO THE FOOTING DRAIM SYSTEM. S88'44'22"E 8TH NOTE: WETLAND DELINEATION AND MITIGATION PLAN BY ALTMAN OLIVER ASSOCIATES NOTE: SITE DRAINAGE COLLECTOR PIPE TO BE ROUTED ALONG THE EAST AND SOUTHWESTERN CORNER OF THE HOUSE. COLLECTOR PIPE TO DIRECT DRAINAGE TO 5 POP UP EMITTERS, PER PLAN. LOCATE EMITTERS WITHIN THE ALLOWABLE DISTURBANCE AREA. THE FOOTING DRAIN SYSTEM TO BE CONNECTED TO 1 EMITTER & BE COMPLETELY INDEPENDENT FROM THE SITE COLLECTOR SYSTEM. WETLAND MITIGATION NOTE: OFFSITE UTILITIES PROVIDED PER CITY OF BELLEVUE GIS MAP S0003'26"F 584 7

.Proposals to modify Land Use Code standards, except where expressly prohibited from modification, are required to receive approval of a Variance from the Land Use Code (Variance). Review of a Variance is subject to the requirements of LUC 20.30G and sections of the Land Use Code which the Variance requests to modify.

II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The subject undeveloped property is located a 15001 NE 8th St and is listed under King County tax parcel number 3891100030. The size of the lot is 76,700 square feet and is

entirely encumbered by wetland critical areas and wetland critical area buffer. The critical area that has been identified is a category II wetland. Vegetation on site is characterized by medium to large native deciduous trees species such as, red alder (*Alnus rubra*) and cottonwood (*Populus trichocarpa*), and a variety of native understory and groundcover associated with wetland environments. Large areas of Himalayan blackberry (*Rubus bifrons*) are found through much of the site and the wetland. See Figure 2 for existing site conditions.

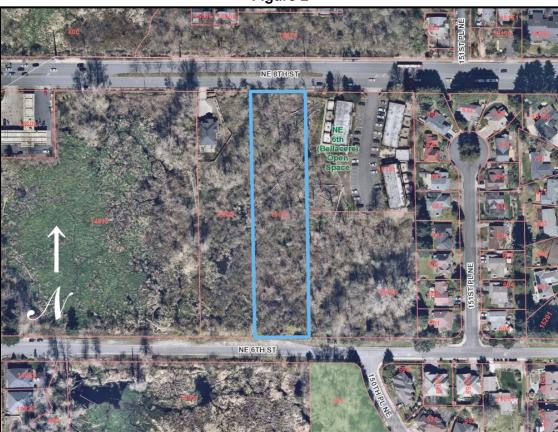
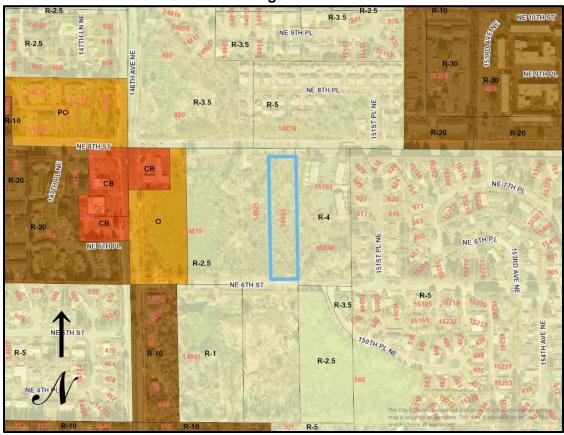


Figure 2

B. Zoning

The underlying zoning of the property is R-2.5 (a single-family zoning district) and it is located within the Crossroads subarea. The property has a Comprehensive Plan designation of Single-Family Medium Density (SF-M).

Figure 3



C. Land Use Context

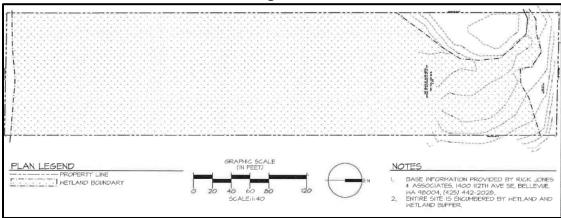
The property is bordered on all sides by single-family development and zoning (R-2.5, R-4, and R-5). More intense uses, including R-10, R-20, R-30, O, and CB, are located approximately 350 feet to the west and 500 feet to the east.

D. Critical areas

i. Wetlands

There is a category II wetland on and adjacent to the subject property. The wetland is associated with Kelsey Creek, which is located approximately 450 feet to the west, and is dominated by red alder (*Alnus rubra*), cottonwood (*Populus trichocarpa*), salmonberry (*Rubus spectabilis*), and dense Himalayan blackberry (*Rubus bifrons*). The wetland was determined to have a habitat score of 5 points, which requires a buffer of 110 feet and a structure setback of 20 feet. See Figure 3 for wetland location.

Figure 4



E. Critical Areas Functions and Values

i. Wetlands

Wetlands provide important functions and values for both the human and biological environment—these functions include flood control, water quality improvement, and nutrient production. These "functions and values" to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue's wetlands provide various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well (Novitski et al., 1995). However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

ii. Habitat Associated with Species of Local Importance

Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005 Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al. 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales (Shaughnessy and

O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements 20.20.010:

This is a proposal to obtain a RUE for the construction of a single-family residence. The property is zoned R-2.5 and is subject to the dimensional requirements of LUC 20.20.010 which include, but is not limited to, setbacks, lot coverage and impervious surface. 100% of the property is encumbered by critical areas and critical area buffers. The proposal is consistent with the underlying zoning district and applicable dimensional requirements based on the materials submitted. Conformance with all zoning requirements will be verified as part of the required building permit review. See Section X for Conditions of Approval related to required Building Permit.

See Table 1 for more information on the conformance with the dimensional standards of LUC 20.20.010.

Requirement **Proposed** Conforms (Yes or No) Front Yard Setback 20 Feet 20 Feet Yes **Rear Yard Setback** 25 Feet 25 Feet Yes Side Yard Setback 5 Feet 5 Feet Yes **Combined 2 Side Yard** 15 Feet 15 Feet Yes Lot Coverage (35%) <= 3,145.8 SF 1,590 SF Yes Impervious Surface (50%) 38,350 SF 3,015 SF Yes Greenscape (50%) 400 SF 1.735 SF Yes

Table 1

B. Parking and Circulation Requirements LUC 20.20.590.K:

i. Consistency with LUC 20.20.590.K.3 - Driveways

Driveway location, width, and manner of approach of vehicular ingress and egress from a parking area are subject to conformance with Chapter 14.60 BCC. The subject site is abutting and will gain access from NE 8th St, a minor arterial street, and will require additional maneuverability space avoid egress from the site from unreasonably impeding vehicles in the travel lane of the public street. The design of the proposed driveway with turnaround space has been reviewed and found to be the minimum necessary to achieve safe egress from the site by the Director of Transportation. The additional space required to locate the turnaround and turnaround approach will require a Variance to the Land Use Code as this additional area will cause the total permanent disturbance area to exceed the maximum set forth in in LUC 20.25H.200 or 3,000 square feet. See Section VIII for analysis of Variance decision criteria.

C. Critical Areas Requirements LUC 20.25H:

i. Consistency with LUC 20.25H.200 – Reasonable Use Exception (RUE)

A reasonable use exception may be granted when no other reasonable use of property exists by the application of the regulations of LUC 20.25H.200. The site is entirely encumbered (76,700 square feet) by critical areas and critical area buffers. When the development density/intensity calculations outlined in LUC 20.25H.045 are applied to this situation the site does not have the potential for a single dwelling unit. As such, the site meets the definition of a small lot as defined in LUC 20.25H.200.A.2.a. Under this definition, a lot in the R-2.5 land use district with less than 3,000 square feet of developable area on the site is considered to have no reasonable use and would qualify for a reasonable use exception.

In addition to the reasonable use exception request, the applicant has also requested a Variance to exceed 3,000 square feet of permanent disturbance to a total of 4,315 square feet. The requested increase is due to the location of the site along a minor arterial street and the ingress/egress and maneuverability requirements determined by the Transportation Department. See Section III.C for Variance analysis.

D. Consistency with Land Use Code Critical Areas Performance Standards:

- i. Streams & Wetlands Performance Standards 20.25H.080 & 20.25H.100
 - a. Lights shall be directed away from the wetland.

No exterior lighting is proposed adjacent to the wetland. Any exterior lighting proposed will be required to have metal hoods and narrow angles of illumination that are directed away from the wetland. See Section X for Conditions of Approval related to exterior lighting.

- b. Activity that generates noise such as parking lots, generators, and residential uses, shall be located away from the stream and wetland, or any noise shall be minimized through use of design and insulation techniques. The proposal has been designed to locate the single-family residence as far from the wetland as possible. During construction, activities that generate noise will be the minimum necessary to construct and develop the site. After construction, noise from the residential use will be minimal and typical for a single-family residence, including on-site garage parking. Preserved vegetation and restoration plantings will serve to buffer noise impacts.
- c. Toxic runoff from new impervious area shall be routed away from streams and wetlands.

No toxic runoff is proposed to be directed towards the stream and wetland.

d. Treated water may be allowed to enter the stream and wetland critical area buffer.

All collected stormwater will be dispersed through pop-up emitters and routed through restored vegetated areas modified to remove buffer status prior to entering the wetland buffer.

e. The outer edge of the stream buffer and wetland critical area buffer shall be planted with dense vegetation to limit pet or human use.

Dense plantings are proposed at the edge of the permanent disturbance area. In addition to dense plantings, signage will also be required to be installed at the edge of the allowed disturbance area. For more information on proposed planting see the mitigation, restoration, and enhancement plan (Attachment 2). See Section X for Conditions of Approval related to mitigation and signage.

f. Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream and wetland buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

No pesticides, insecticides, or fertilizers are proposed within 150 feet of the wetland buffer in this proposal. <u>See Section X for Conditions of Approval related</u> to pesticide use.

iii. Reasonable Use Performance Standards - 20.25H.205

a. The structure shall be located on the site in order to minimize the impact on the critical area or critical area buffer, including modifying the non-critical area setbacks to the maximum extent allowed under LUC 20.25H.040;

The structure is being located on the site at the northwestern extreme of the property in order to utilize an area of wetland buffer and reduce direct impacts to the wetland. The applicant has requested a Variance to the maximum permanent disturbance on the site to a maximum of 4,315 SF to comply with ingress, egress, and maneuverability requirements for sites along minor arterial streets. See Section X for Conditions of Approval related to maximum development area.

b. Ground floor access points on portions of the structure adjacent to undisturbed critical area or critical area buffer shall be limited to the minimum necessary to comply with the requirements of the International Building Code and International Fire Code, as adopted and amended by the City of Bellevue;

The access points for the new structure will be from the north side of the structure away from the critical areas. Any other access points will be situated to minimize disturbance to the adjacent critical area buffer but shall comply with International Building Code and International Fire Code requirements adopted by the City of

Bellevue.

c. Associated development, including access driveways and utility infrastructure shall be located outside of the critical area or critical area buffer to the maximum extent technically feasible;

The access drive will be on the north side of the structure, adjacent to NE 8th St, which is the location furthest from the most sensitive areas of the property. Water and sewer infrastructure are located in NE 8th St and are designed to avoid wetland and wetland impacts outside of permanent impacts required for house and driveway construction.

d. Areas of disturbance for associated development, including access and utility infrastructure shall be consolidated to the maximum extent technically feasible;

Access and utilities infrastructure are being consolidated within the same area to avoid unnecessary impacts outside of the allowed permanent disturbance area.

e. All areas of temporary disturbance associated with utility installation, construction staging and other development shall be determined by the Director and delineated in the field prior to construction and temporary disturbance shall be restored pursuant to a restoration plan meeting the requirements of LUC 20.25H.210;

A temporary restoration plan meeting the requirements of LUC 20.25H.210 will be required to be submitted with the required Building and Utility permit as part of the submittal documents. See Section X for Conditions of Approval related to temporary restoration.

 f. Areas of permanent disturbance shall be mitigated to the maximum extent feasible on-site pursuant to a mitigation plan meeting the requirements of LUC 20.25H.210; and

There will be no areas of permanent disturbance outside of the 4,315 square-foot area allowed under the reasonable use exception and variance. A mitigation and restoration plan for 4,100 square feet of native planting has been provided (Attachment 2). See Section X for Conditions of Approval related to mitigation and restoration plan requirements.

g. Fencing, signage and/or additional buffer plantings should be incorporated into the site development in order to prevent long-term disturbance within the critical area or critical area buffer.

Signage identifying the edge of the permanent disturbance will be included in the mitigation and restoration plan and will be required for approval of the single-family dwelling. See Section X for Conditions of Approval related to required signage.

IV. Public Notice and Comment

 Application Date:
 8/23/2018 (CALUP); 9/22/2018 (Variance)

 Public Notice (500 feet):
 9/27/2018 (CALUP); 10/25/2018 (Variance)

 Minimum Comment Period:
 10/11//2018 (CALUP); 11/8/2018 (Variance)

The Notice of Applications for this project was published in the City of Bellevue weekly permit bulletin on August 23, 2018 for the CALUP and September 22, 2018 for the Variance. They were mailed to property owners within 500 feet of the project site. No comments have been received from the public as of the writing of this staff report.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development. Due to the proximity to wetland critical area, site development is restricted during the rainy season to avoid risk of impacts to the wetland critical area. See Section X for Condition of Approval related to rainy season restrictions.

Utilities:

Surface Water

The site triggers minimum requirements #1-5. The project proposes less than 5,000 square feet of new plus replaced hard surfaces. The project proposes to mitigate the residence and the driveway runoff via pop-up emitters. Building permit stormwater design must match the LO stormwater design with pop-up emitters. Footing drain and roof drain system shall not connect.

Water

The residence will receive water service from the existing 8" AC main in NE 8th St.

Sewer

The residence will receive sewer service from the existing 8" sewer main in NE 8th St.

<u>See Section X for Condition of Approval related to stormwater, water, and sewer design and permitting requirements.</u>

Transportation:

The Transportation Division of the Development Services Department has reviewed the proposed development for compliance with Transportation codes and standards. The Transportation staff found no issues with the proposed development.

VI. State Environmental Policy Act (SEPA)

Construction of a single-family residence is categorically exemption per WAC 197-11-800 (1).

VII. Changes to Proposal as a Result of City Review

Changes to the size of residence, driveway and turnaround area, permanent disturbance area, stormwater discharge, footing drain discharge, and mitigation planting were requested by the City during the review process.

VIII. Decision Criteria

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Variance to the Land Use Code pursuant to LUC Section 20.30G and a Critical Areas Land Use Permit pursuant to LUC Section 20.30P.

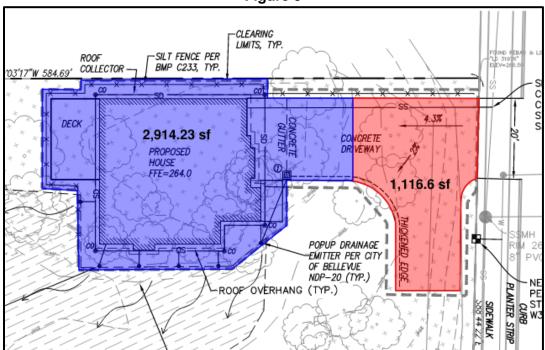
A. Variance to the Land Use Code Decision Criteria 20.30G

The Director may approve or approve with modifications an application for a variance from the provisions of the Land Use Code if:

1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property; and

Finding: The variance request is the minimum necessary, as determined by Transportation Department review, to provide adequate egress and maneuverability to safely exit the site into a minor arterial street and maintain compliance with Transportation Code (BCC 14.60) requirements. Additional egress and maneuverability requirements will similarly impact any property that would qualify for a RUE under the small lot provision where the lot is entirely encumbered by critical area and/or critical area buffer and located along an arterial street. Furthermore, the proposed single-family dwelling, surrounding defensible space, and standard driveway would result in less than 3,000 square feet of permanent disturbance (blue), but the addition of approximately 1,116 square feet of driveway (red), maintenance area, and turnaround creates the need for additional permanent disturbance area beyond the amount allowed in LUC 20.25H.200. See Figure 7 illustrating normal single-family development impacts and expanded driveway impacts for Transportation Code compliance.

Figure 5



2. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property; and

Finding: As discussed previously, the need for variance is specific to the property's proximity to an arterial and the Transportation Code requirements for compliance for safe egress and maneuverability from the site on to NE 8th St. Avoiding a variance would require the house to be reduced to a footprint of 685 square feet or less. If located on a non-arterial street, the proposal would no longer require 1,116 square feet of additional driveway and turnaround space and would not exceed 3,000 square feet of permanent disturbance (see Figure 5 above).

3. The granting of the variance will not be materially detrimental to property or improvements in the immediate vicinity of the subject property; and

Finding: Granting of a variance is not expected to be materially detrimental to other property or improvements in the vicinity. The proposal will allow for development of the site in a manner similar in size, or below, to the neighboring single-family development to the west. RUE performance standards direct development to the northwest corner of the site in order to have the least amount of direct impact to the wetland critical area. The proposal maintains standard zoning dimensional requirements, as discussed in Section III.A of this report, and bulk size of the building would remain the same if the expanded driveway were not required for Transportation Code compliance.

4. The variance is not inconsistent with the Comprehensive Plan; and

Finding: The variance will facilitate the reasonable development of a single-family residence and in a manner that is both safe and sensitive to the environmental features of the site. The variance is not inconsistent with the Comprehensive Plan and specifically meets the following goals of the Comprehensive Plan:

- LU-6. Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage.
- EN-20. Maintain surface water quality, defined as meeting federal and state standards and restore surface water that has become degraded, to the maximum extent practicable
- EN-24. Reduce runoff from streets, parking lots and other impervious surfaces and improve surface water quality by utilizing low impact development techniques in new development and redevelopment.
- EN-58. Encourage property owners to incorporate suitable indigenous plants in critical areas and buffers, consistent with the site's habitat type and successional stage.
- EN-69. Preserve and enhance native vegetation in Critical Area buffers and integrate suitable native plants in urban landscape development
- EN-82. Use prescriptive development regulations for critical areas based on the type of critical area and the functions to be protected; and as an alternative to the prescriptive regulations, allow for a site specific or programmatic critical areas study to provide a science-based approach to development that will achieve an equal or better result for the critical area functions
- EN-84. Use science-based mitigation for unavoidable adverse impacts to critical areas to protect overall critical areas function in the watershed.
- S-CR-14. Encourage the preservation of open space and existing vegetation within new residential development
- S-CR-46. Assure the use of existing vegetation as a screen between differing uses and which provide landscaping on new development.
- S-CR-49. Retain and enhance existing vegetation along major arterials to screen residential uses from vehicular traffic and to preserve the wooded character of this area
- 5. A variance to the requirements of Part 20.25H LUC may be granted only if the applicant demonstrates that a variance from other provisions of the LUC,

where allowed under this part or Part 20.30H LUC, is not feasible. For purposes of this section, variances from the other provisions of the LUC shall be considered not feasible only when, considering the function to be served by the proposal, a variance to other provisions of the LUC, including non-critical area setbacks, will not realize the intended function of the proposal; and

Finding: Variance to other portions of the Land Use Code will not address the required area for Transportation Code compliance with regard to safe egress and maneuverability. Development of the site strictly under the 3,000 square feet allowed under the RUE provisions would be highly restrictive and would likely require a reduction in the house footprint of approximately 47%, or greater, to comply.

6. Where the variance involves disturbance of a critical area or critical area buffer, the variance includes a mitigation plan meeting the requirements of LUC 20.25H.210; and

Finding: As discussed in Section III of this report, a mitigation plan meeting the requirements of LUC 20.25H.210 has been provided. The plan includes native planting; invasive species removal and control; and short- and long-term management provisions; and contingencies and assurances for completion and success.

B. Critical Areas Land Use Permit Decision Criteria 20.30P

The Director may approve or approve with modifications an application for a critical areas land use permit if:

1. The proposal obtains all other permits required by the Land Use Code;

Finding: The applicant must obtain a Single-Family Building and/or Utilities Permit before beginning any work. See Section X for Conditions of Approval related to required development permits.

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

Finding: The site is entirely encumbered by wetland and wetland buffer, and avoidance of impact is not possible. The proposal utilizes the best available construction, design, and development techniques which have resulted minimal impact (334 SF) to the wetland. Complete avoidance of the wetland is not feasible to meet safe ingress/egress and maneuverability requirements of the Transportation Code, but the project has been designed to utilize the largest area of wetland buffer to site the house and driveway.

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;

Finding: As discussed in Section III of this report, the proposal meets the performance standards of LUC 20.25H.100 and LUC 20.25H.220 for a reasonable use exception into a critical area or critical area buffer.

4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

Finding: The proposed single-family residence is consistent with the surrounding land uses and is adequately served by public facilities. All necessary services and ancillary utilities are currently available on-site or within the NE 8th St right of way.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: All areas of temporary disturbance associated with the construction and staging of the new single-family residence and appurtenance will be restored per approved mitigation and restoration plans. The permanent disturbance will occur within the 4,315 square feet requested under variance of 20.25H.190.

6. The proposal complies with other applicable requirements of this code.

As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of Land Use does hereby <u>approve with conditions</u> the proposal to obtain a reasonable use exception for the construction of a single-family residence at 15001 NE 8th St., and a variance to the reasonable use permanent disturbance limit to allow for 4,315 square feet of permanent disturbance.

<u>Note - Expiration of Approval:</u> In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Building Permit or other necessary development permits within one year of the effective date of the approval.

X. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person				
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860				
Land Use Code- BCC 20	David Wong, 425-452-4282				
Noise Control- BCC 9.18	David Wong, 425-452-4282				
Transportation Code- BCC 14	Molly Johnson, 425-452-6175				
Utilities Code- BCC 24	Mohamed Sambou, 425-452-4853				

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. Building Permit

Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a building permit or other required permits must be submitted and approved. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140 Reviewer: David Wong, Land Use

2. Utilities Conceptual Approval

Utility Department approval of the design review application is based on the final conceptual design submitted with this application. Final utility design and construction approval is not given under this permit. Small changes to the site layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. A side sewer permit (UA) will be required for the sewer connections. A water meter permit (UC) will be required for the new meter.

Authority: BCC 24.02, 24.04, 24.06 Reviewer: Mohamed Sambou

3. Maximum Permanent Disturbance

A maximum permanent disturbance area of 4,315 square feet is granted for the development of the single-family residence, driveway, and maintenance space in accordance with the allowances of the Reasonable Use Exception and Variance from the Land Use Code.

Authority: Land Use Code 20.25H.200.A.2, 20.30G

Reviewer: David Wong, Land Use

4. Ground Floor Access Points:

Ground floor access points shall be limited to the minimum necessary to comply with the requirements of the International Building Code and International Fire Code. This standard shall be reviewed on the Building Permits.

Authority: Land Use Code 20.25H.205 Reviewer: David Wong, Land Use

5. Rainy Season Restrictions:

Due to critical area proximity, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

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Authority: Bellevue City Code 23.76.093.A Reviewer: Savina Uzunow, Clearing & Grading

6. Restoration for Areas of Temporary Disturbance

A restoration plan for all areas of temporary disturbance outside of the designated permanent disturbance is required to be submitted for review and approval by the City of Bellevue as a component of the Single-Family Building Permit. The plan shall identify the full areas of temporary impacts expected by the connection to sewer infrastructure or other sources of temporary disturbance.

Authority: Land Use Code 20.25H.220.H

Reviewer: David Wong, Land Use

7. Final Mitigation, Restoration, and Enhancement Plan

A mitigation, restoration, and enhancement plan conforming to the plan under this review (Attachment 2) shall be submitted as a component of the Building Permit. The plan shall include and identify mitigation for significant and hazardous tree removal as depicted on the mitigation, restoration, and enhancement plan.

Authority: Land Use Code 20.25H.205.F

Reviewer: David Wong, Land Use

8. Monitoring

The planting area outlined in the mitigation and restoration plans shall be maintained and monitored for a period of five (5) years following Land Use inspection. Annual monitoring reports are to be submitted to the Land Use Division each of the five years at the end of each growing season or October 31st. Photos from selected photo points will be included in the monitoring reports to document the planting. The following schedule and performance standards apply and are evaluated in the report for each year:

Year 1 (from date of plant installation)

- 100% survival of all installed woody plant material
- 15% coverage or native recolonization of the planting area
- Less than 10% coverage of invasive plants in planting area

Year 2 (from date of plant installation)

- At least 85% survival of all installed wood plant material
- 20% coverage or native recolonization of the planting area
- Less than 10% coverage of invasive plants in planting area

Year 3, 4, & 5 (from date of plant installation)

- At least 85% survival of all installed woody plant material
- At least 40% (Year 3) and 60% (Year 5) coverage of the planting area by native plants in each year respectively

• Less than 10% coverage by invasive species or non-native/ornamental vegetation

The reports, along with a copy of the restoration plan, can be sent to David Wong at dwong@bellevuewa.gov or to the address below:

Environmental Planning Manager Development Services Department City of Bellevue PO Box 90012 Bellevue, WA 98009-9012

Authority: Land Use Code 20.25H.220.D

Reviewer: David Wong, Land Use

9. Planting Cost Estimate

A planting cost estimate detailing the cost for materials and labor identified on the mitigation, restoration, and enhancement plan shall be submitted as part of the Building Permit application. The estimate shall also include the cost of five years of maintenance and monitoring activities as described in the maintenance and monitoring plan.

Authority: Land Use Code 20.25H.220.F

Reviewer: David Wong, Land Use

10. Maintenance & Monitoring Surety

A financial maintenance surety of 100% of the cost of the plant materials and labor, or 20% of the 5-year maintenance and monitoring contract cost is required prior to Building Permit approval. Final inspection is required at the end of the fifth year for release of the surety.

Authority: Land Use Code 20.25H.220.F

Reviewer: David Wong, Land Use

11. Wetland and Buffer Area Signage

Signs identifying the restoration area shall be installed at the edge of the approved permanent disturbance area on intervals of not greater than 30 feet. Signage shall include wording prohibiting the alteration or removal of vegetation within the restoration area, and sign contents will be reviewed under the Building Permit application.

Authority: Land Use Code 20.25H.205.G

Reviewer: David Wong, Land Use

12. Land Use Inspection

A Land Use (600) inspection is required prior to Building Permit final inspection to verify plant installation is complete and according to the mitigation, restoration, and enhancement plan.

Royal Crest Homes 18-123590-LO, 18-125139-LS Page **18**

Authority: Land Use Code 20.25H.220.F

Reviewer: David Wong, Land Use

13. Exterior Lighting

All exterior lighting shall be directed away from the wetland critical areas. Hooded lights with narrow illumination angles are allowed on portions of the building not facing the wetland.

Authority: Land Use Code 20.25H.100.A

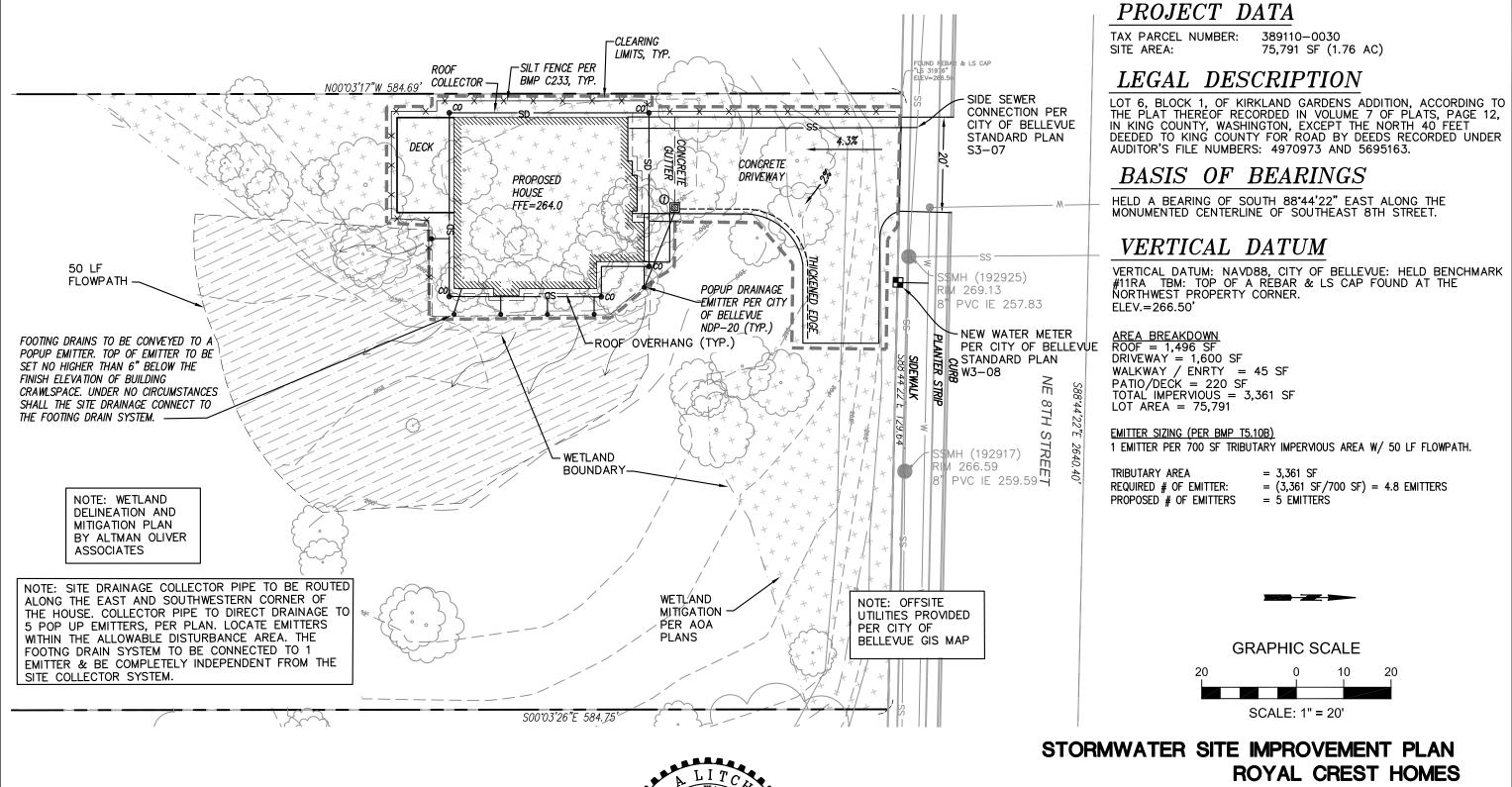
Reviewer: David Wong, Land Use

14. Pesticides, Insecticides, and Fertilizers

The applicant must submit as part of the required Building Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

Authority: Land Use Code 20.25H.080.A, 20.25H.100.F

Reviewer: David Wong, Land Use



AREA DRAINS

AREA INLET PER COB DETAIL D-16 (TYP.) $RIM = 263.8 \pm (MATCH'FG)$ I.E. 6" PVC = 260.8



15045 NE 8TH ST, BELLEVUE

NW 1/4, NW 1/4, SECTION 35, T 25N, R 5E, W.M.

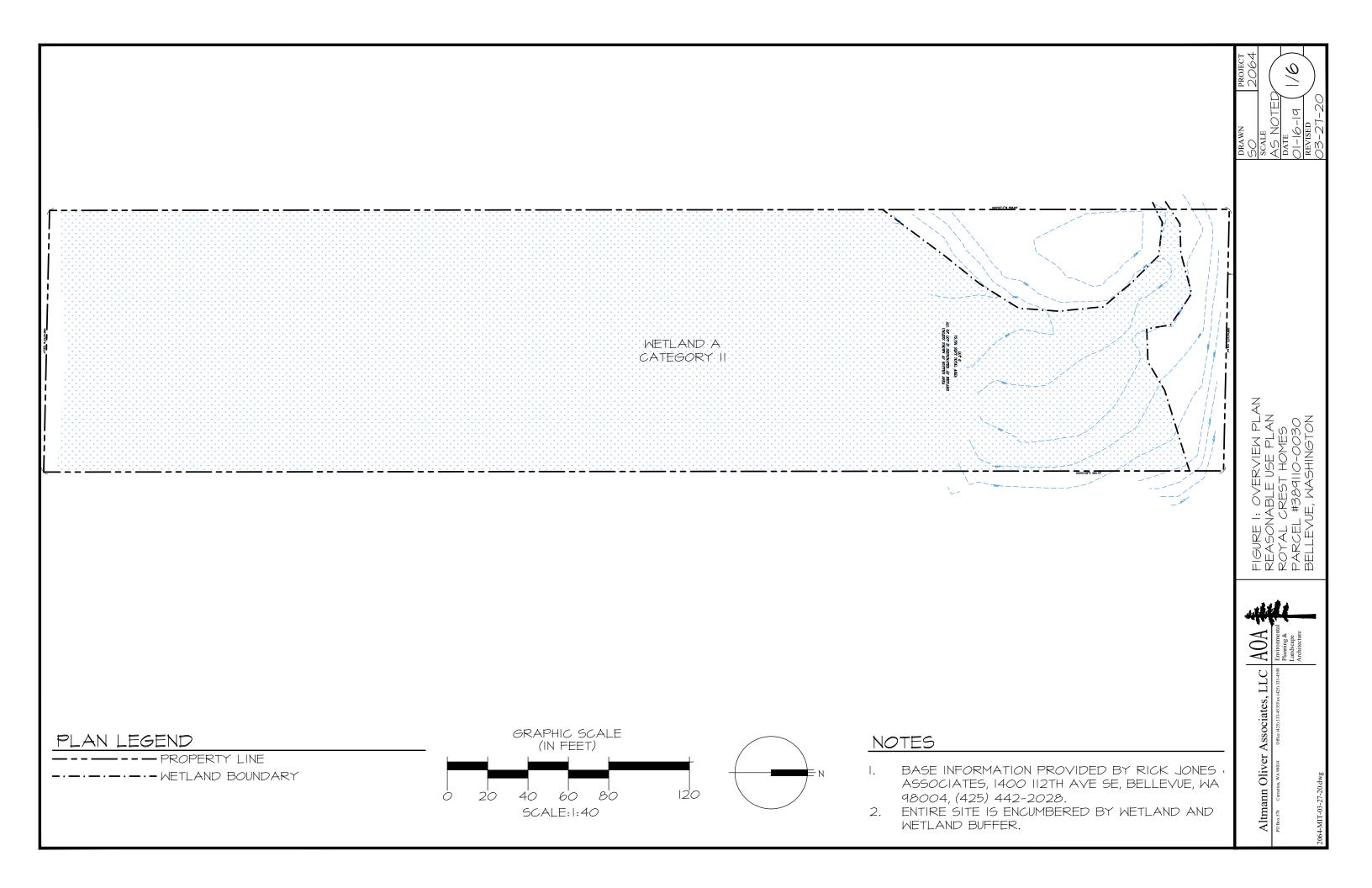


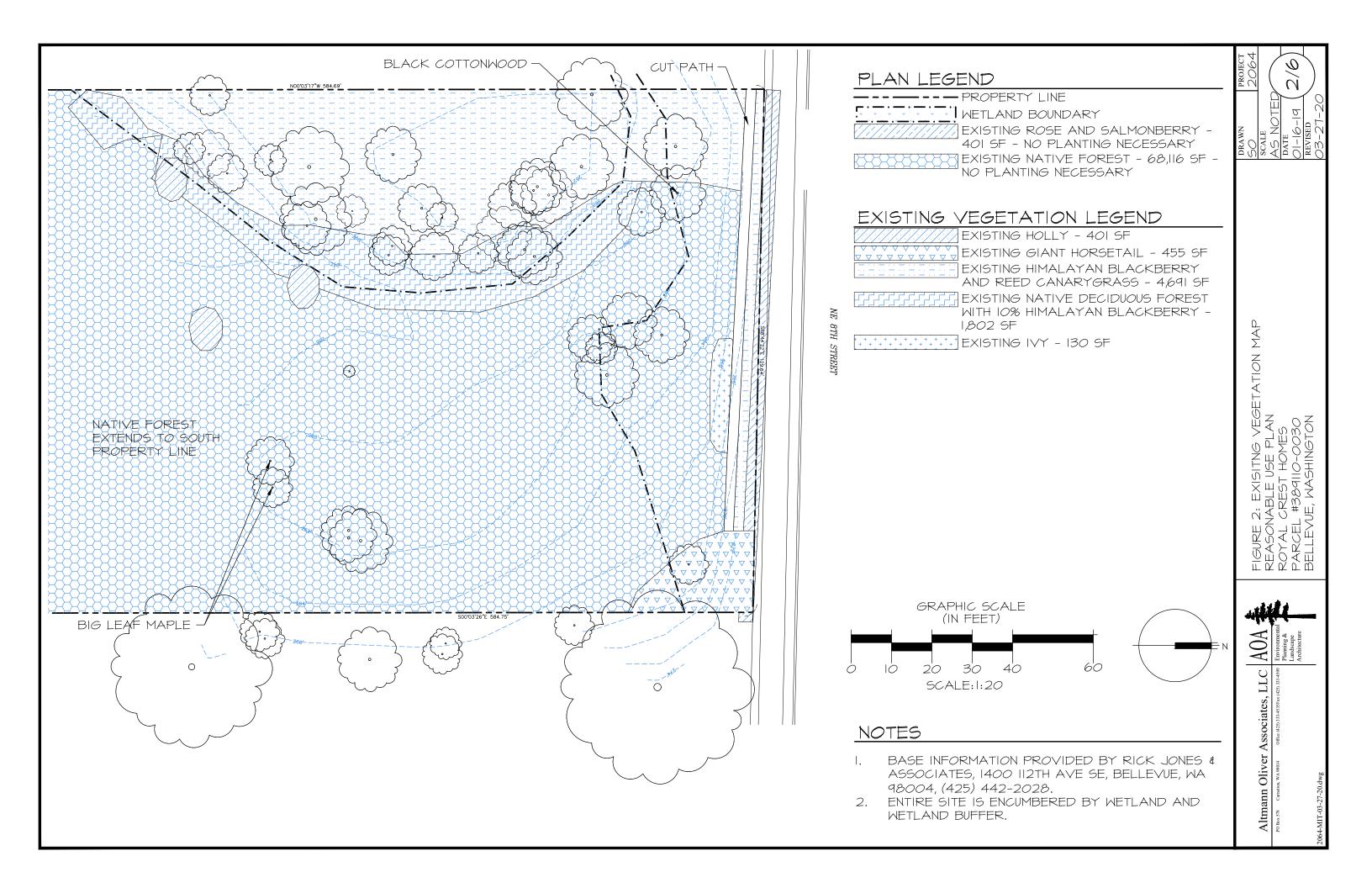
LITCHFIELD ENGINEERING

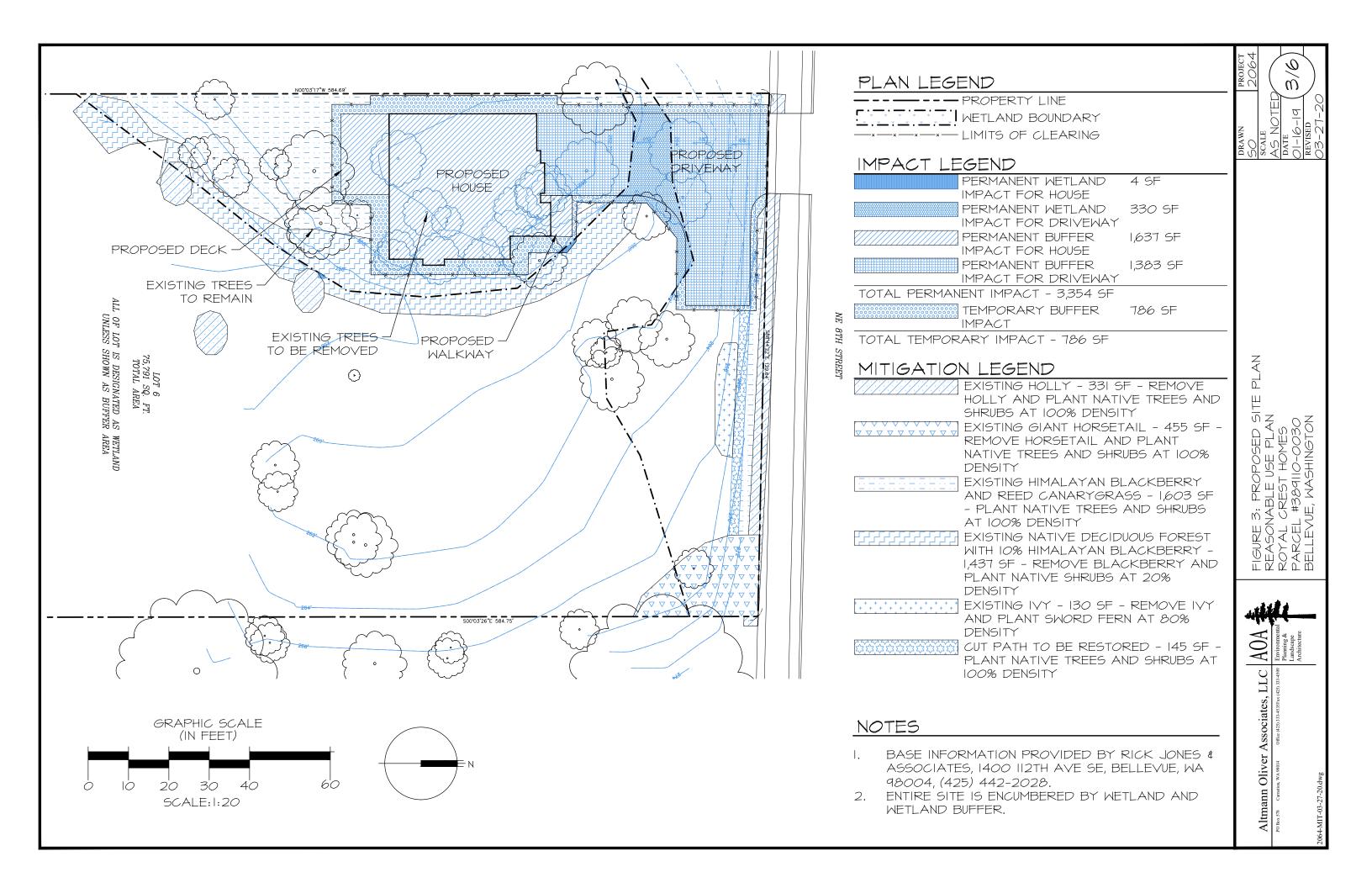
12840 81ST AVENUE NE Kirkland, Washington 98034 (425) 821-5038 FAX (425) 821-5739

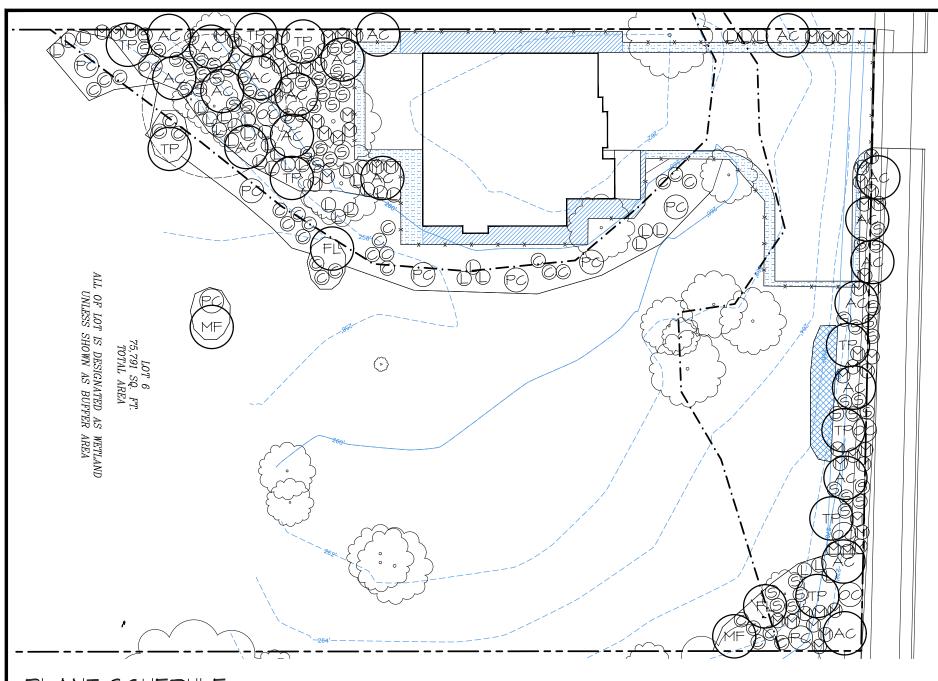
Copyright © 2000 Litchfield Engineering, Inc. All rights	reserved.
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DWN. BY	DATE	JOB NO.
KAL	2-17-21	
CHKD. BY	SCALE	SHEET
KAL	1" = 20'	1 OF 1









PLAN LEGEND

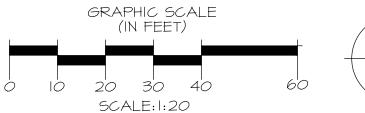
- PROPERTY LINE WETLAND BOUNDARY

NE 8TH STREET

FIGURE 4: PLANTING PLAN REASONABLE USE PLAN ROYAL CREST HOMES PARCEL #389110-0030 BELLEVUE, MASHINGTON

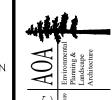
PLANT SCHEDULE

TREES									
KEY	SCIENTIFIC NAME COMMON NAME		DENSITY	QTY.	SIZE (MIN.)	NOTES			
AC	ACER CIRCINATUM	VINE MAPLE	10' 0.C.	20	2 <i>G</i> AL.	MULTI-STEM (3 MIN.)			
FL	FRAXINUS LATIFOLIA	OREGON ASH	10' 0.C.	2	2 <i>G</i> AL.	SINGLE TRUNK			
MF	MALUS FUSCA	WESTERN CRABAPPLE	10' 0.C.	2	2 GAL.	SINGLE TRUNK			
TP	THUJA PLICATA	WESTERN RED CEDAR	10' 0.C.	9	2 <i>G</i> AL.	FULL & BUSHY			
SHRU	BS								
KEY	SCIENTIFIC NAME	COMMON NAME	DENSITY	QTY.	SIZE (MIN.)	NOTES			
C	CORNUS SERICEA	RED-05IER D06W00D	4.5' O.C.	30	I GAL.	MULTI-STEM (3 MIN.)			
L	LONICERA INVOLUCRATA	BLACK TWIN-BERRY	4.5' O.C.	38	I GAL.	MULTI-STEM (3 MIN.)			
Μ	MAHONIA AQUIFOLIUM	TALL OREGON GRAPE	4.5' O.C.	65	I GAL.	FULL & BUSHY			
00	OEMLERIA CERASIFORMIS	INDIAN PLUM	4.5' O.C.	6	I GAL.	MULTI-STEM (3 MIN.)			
PC	PHYSOCARPUS CAPITATUS	PACIFIC NINEBARK	4.5' O.C.	8	I GAL.	MULTI-STEM (3 MIN.)			
5	SYMPHORICARPOS ALBUS	SYMPHORICARPOS ALBUS SNOWBERRY		62	I GAL.	MULTI-STEM (3 MIN.)			
GROU	GROUNDCOVER								
KEY	SCIENTIFIC NAME	COMMON NAME	SPACING	QTY.	SIZE (MIN.)	NOTES			
	BLECHNUM SPICANT DEER FE		3' O.C.	52	I GAL.	FULL & BUSHY			
GAULTHERIA SHALLON SA		SALAL	2' O.C.	2' O.C. 130		FULL & BUSHY			
	POLYSTICHUM MUNITUM	SWORD FERN	3' O.C.	17	I GAL.	FULL & BUSHY			
OC PC S GROU	MAHONIA AQUIFOLIUM OEMLERIA CERASIFORMIS PHYSOCARPUS CAPITATUS SYMPHORICARPOS ALBUS JNDCOVER SCIENTIFIC NAME BLECHNUM SPICANT GAULTHERIA SHALLON	TALL OREGON GRAPE INDIAN PLUM PACIFIC NINEBARK SNOWBERRY COMMON NAME DEER FERN SALAL	4.5' O.C. 4.5' O.C. 4.5' O.C. 4.5' O.C. 5PACING 3' O.C. 2' O.C.	65 6 8 62 QTY. 52 130	GAL. GAL. GAL. GAL. SIZE (MIN.) GAL. GAL.	FULL & BUSHY MULTI-STEM (3 MULTI-STEM (3 MULTI-STEM (3 NOTES FULL & BUSHY FULL & BUSHY			



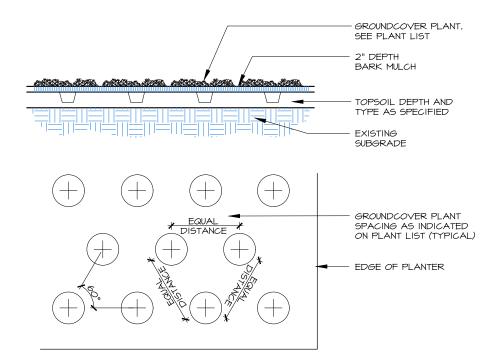
NOTES

- BASE INFORMATION PROVIDED BY RICK JONES & ASSOCIATES, 1400 112TH AVE SE, BELLEVUE, WA 98004, (425) 442-2028.
- 2. ENTIRE SITE IS ENCUMBERED BY WETLAND AND WETLAND BUFFER.

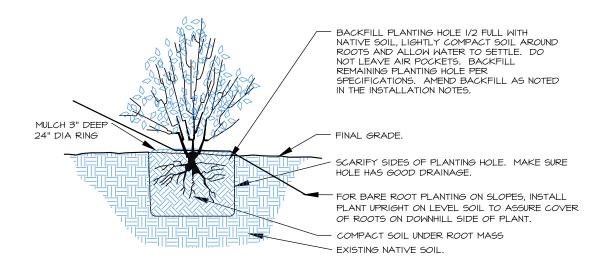


Altmann Oliver Associates, LLC

CONTAINER PLANTING DETAIL (TYP.) SCALE: NTS



3 GROUNDCOVER PLANTING (TYP.)
SCALE: NTS



2 BARE-ROOT PLANTING DETAIL (TYP.) SCALE: NTS

FIGURE 5: PLANTING DETAILS REASONABLE USE PLAN ROYAL CREST HOMES PARCEL #389110-0030 BELLEVUE, MASHINGTON

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AOA

LLC Associates, Altmann Oliver

- I. CONTRACTOR INFORMATION. WHEN IT IS AVAILABLE, CONTACT INFORMATION SHALL BE PROVIDED TO THE CITY OF BELLEVUE THAT INCLUDES NAMES, ADDRESSES AND PHONE NUMBERS OF PERSONS/FIRMS THAT WILL BE RESPONSIBLE FOR INSTALLING REQUIRED PLANTS AND PERFORMING REQUIRED MAINTENANCE.
- 2. CONTRACTOR'S QUALIFICATIONS. ALL WORK SHALL BE PERFORMED BY A LICENSED LANDSCAPE CONTRACTOR REGISTERED IN THE STATE OF WASHINGTON. CONTRACTOR MUST BE EXPERIENCED IN MITIGATION AND RESTORATION WORK. THE CONTRACTOR SHALL PROVIDE THAT THERE IS ONE PERSON ON THE SITE AT ALL TIMES DURING WORK AND INSTALLATION WHO IS THOROUGHLY FAMILIAR WITH THE TYPE OF MATERIALS BEING INSTALLED AND THE BEST METHODS FOR THEIR INSTALLATION, AND WHO SHALL DIRECT ALL WORK BEING PERFORMED UNDER THESE SPECIFICATIONS. THIS PERSON SHALL HAVE A MINIMUM OF FIVE (5) YEARS EXPERIENCE INSTALLING NATIVE PLANT MATERIALS FOR WETLAND MITIGATION OR RESTORATION PROJECTS, UNLESS OTHERWISE ALLOWED BY THE LANDSCAPE DESIGNER, WETLAND BIOLOGIST AND/OR THE CITY OF BELLEVUE.
- 3. ALL PLANTS SHOULD BE INSTALLED BETWEEN DECEMBER IST AND MARCH 15TH.
- 4. INTERMEDIATE INSPECTIONS. ALL PLANTS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE DESIGNER AND/OR WETLAND BIOLOGIST PRIOR TO INSTALLATION. CONDITION OF ROOTS OF A RANDOM SAMPLE OF PLANTS WILL BE INSPECTED, AS WELL AS ALL ABOVEGROUND GROWTH ON ALL PLANTS. ROOTS OF ANY BARE ROOT PLANTS, IF PERMITTED FOR USE, WILL BE INSPECTED. PLANT MATERIAL MAY BE APPROVED AT THE SOURCE, AT THE DISCRETION OF THE LANDSCAPE DESIGNER AND THE WETLAND BIOLOGIST, BUT ALL MATERIAL MUST BE RE-INSPECTED AND APPROVED ON THE SITE PRIOR TO INSTALLATION. PLANT LOCATIONS SHALL ALSO BE INSPECTED AND APPROVED PRIOR TO PLANTING.
- 5. PRIOR TO INSTALLATION OF PLANT MATERIAL ALL CLASS A-C NOXIOUS WEEDS, ENGLISH HOLLY, CHERRY LAUREL, LAWN, CONSTRUCTION DEBRIS, AND ANY NON-ORGANIC DEBRIS LOCATED IN THE PLANTING AREAS WILL BE REMOVED BY HAND GRUBBING ALL ROOTS AND EXPORTED OFFSITE. CARE SHALL BE TAKEN TO AVOID DISTURBANCE TO NATIVE WOODY VEGETATION LOCATION AMONGST NON-NATIVE VEGETATION. ALL WEED, CONSTRUCTION DEBRIS, LAWN AND NON-ORGANIC DEBRIS SHALL BE REMOVED FROM THE BUFFER AREA AND EXPORTED FROM THE SITE. IN PLANTING AREAS, 3" OF DEJONG'S FERTIL-MULCH SHALL BE PLACED OVER NATIVE SOIL AFTER WEED REMOVAL AND REVIEW BY AOA IS COMPLETE.
- 6. AOA TO REVIEW DEBRIS REMOVAL, INVASIVE PLANT REMOVAL, FERTIL-MULCH PLACEMENT AND PLANT LAYOUT PRIOR TO PLANTING.
- 7. ALL PLANTS SHALL BE PIT-PLANTED IN PLANTING PITS EXCAVATED 2X THE DIAMETER OF THE PLANT. PITS SHALL BE BACKFILLED WITH A 30/70 MIX OF FERTIL-MULCH TO NATIVE SOIL. PLANTS SHALL BE INSTALLED 3" HIGH AND SURFACED MULCHED TO A DEPTH OF 3" WITH WOOD CHIPS PLACED CONTINUOUSLY THROUGHOUT THE PLANTING BED OVER BARE GROUND.
- 8. ALL PLANTS SHALL BE NURSERY GROWN (IN WESTERN WA OR OR) FOR AT LEAST I YEAR FROM PURCHASE DATE, FREE FROM DISEASE OR PESTS, WELL-ROOTED, BUT NOT ROOT-BOUND AND TRUE TO SPECIES.
- 9. PLANT LAYOUT SHALL BE APPROVED BY AOA PRIOR TO INSTALLATION AND APPROVED UPON COMPLETION OF PLANTING.
- 10. UPON COMPLETION OF PLANTING, ALL PLANTS SHALL BE THOROUGHLY WATERED.
- II. UPON APPROVAL OF PLANTING INSTALLATION BY AOA, THE CITY OF BELLEVUE WILL BE NOTIFIED TO CONDUCT A SITE REVIEW FOR FINAL APPROVAL OF CONSTRUCTION.
- 12. MAINTENANCE SHALL BE REQUIRED IN ACCORDANCE WITH THE CITY OF BELLEVUE SENSITIVE AREAS MITIGATION GUIDELINES AND APPROVED PLANS.
- 13. THE IRRIGATION SYSTEM FOR THE NEW HOME SHALL HAVE A SEPARATE ZONE FOR THE MITIGATION PLANTING AREAS. THE DRIP IRRIGATION SYSTEM SHALL BE DESIGN/BUILT BY THE LANDSCAPE CONTRACTOR PROVIDING FULL COVERAGE TO ALL PLANTING AREAS.
- 14. IRRIGATION FOR THE MITIGATION PLANTING AREAS SHALL BE SET TO PROVIDE I/2" OF FLOW 2-3 TIMES WEEKLY FROM JUNE 15 SEPTEMBER 30 THE FIRST YEAR AFTER PLANTING. FLOW SHALL REDUCE TO I-2 TIMES WEEKLY JULY I- SEPTEMBER 15, THE SECOND YEAR AFTER PLANTING AND ONCE WEEKLY THE YEAR 3. NO FURTHER IRRIGATION IS NECESSARY AFTER THE THIRD YEAR. IRRIGATION SYSTEM SHALL BE WINTERIZED BY OCTOBER 31.
- 15. MAINTENANCE SHALL BE IMPLEMENTED ON A REGULAR BASIS ACCORDING TO THE SCHEDULE BELOW.

ANNUAL MAINTENANCE SCHEDULE

MAINTENANCE ITEM	7	F	М	А	М	J	7	А	5	0	N	D
WEED CONTROL					I	l			1			
GENERAL MAINT.					- 1			I	1			
WATERING - YEAR I						4-6	8-12	8-12	8-12			
WATERING - YEAR 2							4-8	4-8	2-4			
WATERING - YEAR 3							4	4	2			

I-8 = NUMBER OF TIMES TASK SHALL BE PERFORMED PER MONTH.

FIGURE 6: SPECIFICATIONS
REASONABLE USE PLAN
ROYAL CREST HOMES
PARCEL #384110-0030
BELLEVUE, WASHINGTON

LC A0,

Associates,

Oliver

Altmann

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